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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.      | CONFIRMATION NO.       |
|---|-------------|----------------------|--------------------------|------------------------|
| 08/908,994  | 08/08/1997  | Michael J. Horgan    | SYN5397.01A              | 1095                   |
| 8156  | 7590        | 03/27/2008           |                          |                        |
| JOHN P. O'BANION<br>O'BANION & RITCHEY LLP<br>400 CAPITOL MALL SUITE 1550<br>SACRAMENTO, CA 95814 |             |                      | EXAMINER<br>NOT, DEFINED |                        |
|   |             |                      | ART UNIT<br>2131         | PAPER NUMBER           |
|   |             |                      | MAIL DATE<br>03/27/2008  | DELIVERY MODE<br>PAPER |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## NOTICE UNDER 37 CFR 1.251 - Pending Application

☒ The file of the above-identified application cannot be located after a reasonable search. Therefore, the Office is initiating the reconstruction of the file of the above-identified application pursuant to the provisions of 37 CFR 1.251.

Applicant is given a period of **THREE (3) MONTHS** from the mailing date of this notice within which to provide a copy of applicant's record (if any) of all of the correspondence between the Office and applicant for the above-identified application (except for U.S. patent documents), a list of such correspondence, and a statement that the copy is a complete and accurate copy of applicant's record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and whether applicant is aware of any correspondence between the Office and applicant for the above-identified application that is not among applicant's records.

☐ The following paper(s) pertaining to the above-identified application cannot be located after a reasonable search:

Therefore, the Office is initiating the reconstruction of such paper(s) pursuant to the provisions of 37 CFR 1.251.

Applicant is given a period of **THREE (3) MONTHS** from the mailing date of this notice within which to provide a copy of the paper(s) listed above and a statement that the copy of such paper(s) is a complete and accurate copy of applicant's record of such paper(s).

Alternatively, applicant may reply to this notice by producing applicant's record (if any) of all of the correspondence between the Office and the applicant for the above-identified application for the Office to copy (except for U.S. patent documents), and provide a statement that the papers produced by applicant are applicant's complete record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), whether applicant is aware of any correspondence between the Office and the applicant for the above-identified application that is not among applicant's records. Such records must be brought to the Customer Service Center in the Office of Initial Patent Examination (Crystal Plaza 2, 2011 South Clark Place, Arlington, VA 22202).

If applicant does not possess any record of the correspondence between the Office and the applicant for the above-identified application (or any copy of the paper(s) listed above), applicant must reply to this notice by providing a statement that applicant does not possess any record of the correspondence between the Office and the applicant for the above-identified application.

**Failure to reply to this notice in a timely manner will result in abandonment of the above-identified application. The three-month period for reply to this notice may be extended (up to a maximum of six months) under the provisions of 37 CFR 1.136(a). However, failure to reply within this three-month period will result in a reduction of any patent term adjustment. See 37 CFR 1.704(b).**

☒ A printout from PALM of the contents of the file of the above-identified application is included with this notice.

Direct the reply to this notice to:

Mail Stop RECONSTRUCTION, IPD ST 4D03  
Commissioner for Patents  
P.O. Box 1450  
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Direct questions concerning this notice to:

*Margaret W. Allen*  
(703) 308 - 9810  
X184

# Content Information for 08/908994

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Attorney Docket #

Bar Code #

| Date       | Status | Code    | Description                                    |
|------------|--------|---------|--|
| 03/27/2008 |        | M2510   | MAIL RECONSTRUCTION NOTICE - PENDING APPLIC    |
| 03/27/2008 |        | 2510    | RECONSTRUCTION NOTICE UNDER 37 CFR 1.251 - PET |
| 03/27/2008 |        | LFRECON | RECONSTRUCTION OF FILE - BEGIN                 |
| 03/25/2008 |        | LFLOST  | FILE MARKED LOST                               |
| 10/06/2004 | 169    | WROIPE  | APPLICATION RETURN FROM OIPE                   |
| 10/06/2004 | 18     | ROIPE   | APPLICATION RETURN TO OIPE                     |
| 02/19/2004 |        | MPREV   | MAIL-PETITION TO REVIVE APPLICATION - GRANTED  |
| 02/19/2004 |        | MPTDI   | MAIL-PETITION DECISION - DISMISSED             |
| 01/20/2004 |        | PET.    | PETITION ENTERED                               |
| 01/12/2004 |        | PET.    | PETITION ENTERED                               |
| 11/12/2003 |        | MPTDI   | MAIL-PETITION DECISION - DISMISSED             |
| 10/06/2003 |        | PET.    | PETITION ENTERED                               |
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| 10/06/2003 |        | PET.    | PETITION ENTERED                               |
| 08/01/2003 |        | C.ADB   | CORRESPONDENCE ADDRESS CHANGE                  |
| 05/14/2003 |        | C.AD    | CORRESPONDENCE ADDRESS CHANGE                  |
| 05/15/2003 |        | PA..    | CHANGE IN POWER OF ATTORNEY (MAY INCLUDE A     |
| 09/20/2001 | 169    | SETS    | SET APPLICATION STATUS                         |
| 01/21/2000 |        | ABNF    | ABANDONMENT -- INC. APPLICATION UNDER RULE :   |
| 01/07/1998 |        | INCD    | NOTICE MAILED--APPLICATION INCOMPLETE--FILIN   |
| 11/20/1997 |        | SCAN    | IFW SCAN & PACR AUTO SECURITY REVIEW           |
| 02/02/2000 |        | G021    | PREEXAMINATION LOCATION CHANGE                 |
| 09/02/1997 | 19     | IEXX    | INITIAL EXAM TEAM NN                           |

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